

02/19/02  
JC872 U.S. PTO

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1079075  
U.S. PTO

UTILITY PATENT  
APPLICATION  
TRANSMITTAL  
(Only for new nonprovisional  
applications under 37 CFR 1.53(b))

PATENT

Attorney Docket No. A34001-A / 072396.0222

First Named Inventor Montelaro et al.

Express Mail Label No. **EU206386185US**

Total Pages: 83

February 19, 2002

**BY EXPRESS MAIL - Label No. EU206386185US**

Box: Patent Application  
Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, Virginia 22202

Sir:

Enclosed herewith for filing is a patent application of MONTELARO et al. entitled "VIRUS DERIVED ANTIMICROBIAL PEPTIDES" which includes:

Specification 40 Total Pages  
 Claims 9 pages  
 Abstract 1 page  
 Drawings 13 sheets  
 formal  
 informal (Figs. 1-13)

Combined Declaration and Power of Attorney 4 pages  
 Newly executed (original or copy)  
 Copy from a prior application

If a continuing application, check appropriate box:

Continuation  Divisional  Continuation-In-Part  
of prior application Serial No. 09/785,058 and 09/785,059.

Amend the specification by inserting, before the first line, the following sentence:

"This is a  continuation  divisional  continuation-in-part  
of copending application Serial No \_\_\_\_\_ filed \_\_\_\_\_, and which is hereby incorporated by  
reference in its entirety.

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A34355-A / 070015.0189

The entire disclosure of the prior applications is considered as being part of the disclosure of the accompanying application and are hereby incorporated by reference therein.

An Assignment of the invention to the University of Pittsburgh

is attached. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

will follow.

has been filed in the prior application and a copy is provided. 2 pages

Small Entity Status is claimed.

is/are attached.

Small Entity Statement filed in prior application. Status still proper and desired.

will follow.

Information Disclosure Statement

5 pages

PTO Form 1449

4 pages

Copies of IDS Citations.

Copies of IDS Citations are not required.

Also accompanying this patent application are:

Application Data Sheet

CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

Nucleotide and/or Amino Acid Sequence Submission and disk 5 pages

Preliminary Amendment    pages

Non-Publication Request

Return Receipt Postcard

Other:

Cancel in this application original claims    of the prior application before calculating the filing fee.

The filing fee has been calculated as shown below:

<u>FOR</u>	<u>(Col. 1)</u> <u>No. Filed</u>	<u>(Col. 2)</u> <u>No. Extra</u>	<u>Small Entity</u> <u>Rate</u>	<u>Fee</u>	<u>OR</u>	<u>Other Than A</u> <u>Small Entity</u> <u>Fee</u>
Basic Fee	\$740.00			\$370.00		\$0.00
Total Claims	69	-20 = 49	x 9 =	\$441.00	x 18 =	\$0.00
Ind. Claims	13	-3 = 10	x 42 =	\$420.00	x 84 =	\$0.00
Multiple Dependent Claim			+ 140 =	\$140.00	- 280 =	.00
			Total	<u>\$1371.00</u>		<u>\$0.00</u>

\* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Fee:

Enclosed

Basic filing fee \$1371.00

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[X]	Recording Assignment [\$40.00; 37 CFR 1.21(h)]	\$40.00
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Total Fees Enclosed	<u>\$1411.00</u>
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[X] A check in the amount of \$1371.00 and \$40.00 to cover filing fee and recordation fee is enclosed.  
 [ ] Please charge our Deposit Account No. 02-4377 in the amount of \_\_\_\_\_. Two copies of this sheet are enclosed.

Priority:

[ ] Priority of application Country United States , which is based on International Application No.\_\_\_\_\_, which is claimed under 35 U.S.C. 119.  
 [ ] Certified Copy of Priority Document(s) Country \_\_, Appln No. \_\_, filed \_\_.  
 [ ] has been filed in the parent application S/N \_\_\_\_\_.  
 [ ] is/are attached.  
 [ ] will follow.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16, 1.17, and 1.21(h) associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

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[ ] The Commissioner is conditionally authorized to charge payment of any fees associated with this application or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.

  
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